

AMENDED IN ASSEMBLY APRIL 6, 2010

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 1993

Introduced by Assembly Member Audra Strickland

February 17, 2010

An act to add Section 7550.7 to the Government Code, relating to state reports.

LEGISLATIVE COUNSEL'S DIGEST

AB 1993, as amended, Audra Strickland. State government: reports: declarations.

Existing law ~~generally~~ sets out the requirements for the submission of written reports ~~by public agencies to the Legislature, the Governor, the Controller, and state legislative and other executive entities.~~

This bill would ~~require a written report, as defined, submitted by any state agency or department to the Legislature, a Member of the Legislature, or any state legislative or executive body to include a signed statement by the head of the agency or department~~ *any entity submitting a written report to the Legislature, a Member of the Legislature, or a committee of the Legislature to include a signed statement by the head of the entity submitting the written report* declaring that the factual contents of the written report are true, accurate, and complete to the best of his or her knowledge.

This bill would also make any person who declares as true any material matter pursuant to these provisions that he or she knows to be false liable for a civil penalty not to exceed \$20,000.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 7550.7 is added to the Government Code, to read:

~~7550.7. (a) (1) Notwithstanding any other law, a written report submitted to the Legislature, a Member of the Legislature, or any state legislative or executive body by any state agency or department shall include a signed statement by the head of that agency or department declaring that the factual contents of the report are true, accurate, and complete to the best of his or her knowledge.~~

7550.7. (a) (1) Notwithstanding any other law, any entity submitting a written report to the Legislature, a Member of the Legislature, or a committee of the Legislature shall include a signed statement by the head of the entity submitting the written report declaring that the factual contents of the written report are true, accurate, and complete to the best of his or her knowledge.

(2) With respect to the Franchise Tax Board, the signed statement described in paragraph (1) shall be made by the executive officer of that board, and with respect to the State Board of Equalization, the statement shall be made by the executive director of that board.

(b) Paragraph (1) of subdivision (a) shall apply to the head of every ~~state agency or department~~ *entity submitting a written report*, including, but not limited to, elected officials of state government, and any state official whose duties are prescribed by the California Constitution.

(c) For purposes of this section, a “written report” is either of the following:

(1) A document required by statute to be prepared and submitted ~~to the Legislature, or any state legislative or executive body.~~ *to the Legislature, a Member of the Legislature, or a committee of the Legislature.*

(2) A document, summary, or statement requested by a Member of the Legislature.

(d) The declaration in the signed statement as to the truth, accuracy, and completeness of the factual contents of the written report shall not apply to any forecasts, predictions, recommendations, or opinions contained in the written report.

1 (e) Any person who declares as true any material matter pursuant
2 to this section that he or she knows to be false shall be liable for
3 a civil penalty not to exceed twenty thousand dollars (\$20,000).
4 The civil penalties provided for in this section shall be exclusively
5 assessed and recovered in a civil action brought in the name of the
6 people of the State of California in any court of competent
7 jurisdiction by the Attorney General.

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